



W.P.No.4920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4920 of 2023

Muthulakshmi

...Petitioner

-Vs-

- 1.The Commissioner,
Adi-Dravidar and Tribal Welfare,
Ezhilagam, Chepauk,
Chennai - 600 005.
- 2.The District Collector,
O/o. Office at Collectorate Coimbatore,
Coimbatore District.
- 3.The Special Tahsildar (LA),
Adi-Dravidar and Tribal Welfare,
Coimbatore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd respondents to complete the process of exchange of land as proposed by the 2nd respondent vide proceeding dated 06.02.2021 in Na.Ka.No.2852/2018/K6 and consequently issue patta to the petitioner under Adi-Dravidar Welfare Scheme.



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For Petitioner : Mrs.V.S.Usharani
For Respondents : Mr.C.Jayaprakash,
Government Advocate

ORDER

The relief sought for in this Writ Petition is to direct the 1st and 2nd respondents to complete the process of exchange of land as proposed by the 2nd respondent vide proceeding dated 06.02.2021 and consequently issue patta to the petitioner under Adi-Dravidar Welfare Scheme.

2. The land acquired originally is found to be not suitable for developing house projects. Thus, the authorities have dropped the proceedings and initiated further proceedings to acquire an alternate land for the purpose of making allotment to the landless poor Adi-Dravidar people.

3. The learned Government Advocate brought to the notice of this Court that the District Collector has already identified the suitable property and further actions will be taken for the purpose of acquiring the said alternate property and thereafter, it will be allotted in favour of the landless poor people.



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4. In view of the fact that the progress has been made for acquiring the land, the petitioner cannot now claim any right of allotment or otherwise.

5. Assignment or allotment of free house site is a policy decision of the Government and the Court cannot issue any direction to allot a particular land to any person or otherwise. The welfare schemes are to be implemented strictly in accordance with the terms and conditions stipulated under the scheme. At the time of implementation, it is to be granted uniformly and without causing discrimination amongst the eligible persons.

6. Thus, the relief as such sought for in the present Writ Petition cannot be granted and the respondents, as stated, shall take steps as expeditiously as possible for acquiring the alternate land. Accordingly, the Writ Petition stands dismissed. No costs.

10.07.2023

Index:Yes
Speaking order
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To

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S.M.SUBRAMANIAM, J.

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